

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

WATER DIVISION

RESOLUTION NO. W-4489

August 19, 2004

R E S O L U T I O N

(RES. W-4489), CALIFORNIA WATER SERVICE COMPANY (CAL WATER). ORDER AUTHORIZING A 6-MONTH EXTENSION OF TIME, REQUESTED ON BEHALF OF CUSTOMER JOSEPH FARAIS, TO SUBMIT A BUILDING PERMIT TO RETAIN HIS WATER SERVICE CONNECTION IN CAL WATER'S COAST SPRINGS WATER SYSTEM.

SUMMARY

By Advice Letter No. 1673, filed on June 18, 2004, Cal Water seeks authorization to grant a 6-month extension of time for its potential customer, Joseph Farais, a lot owner in its Coast Springs district, to submit the building permit required by Decision (D.) 03-03-037 to retain his name on the approved water service connection list for connections without active meters. This resolution grants Cal Water's request.

BACKGROUND

Coast Springs is a small water system serving the Dillon Beach and Oceana Marin areas, approximately four miles west of Tomales in Marin County. Coast Springs is a division of Cal Water's Redwood Valley District. Cal Water's domestic water supply permit for Coast Springs issued by the California Department of Health Services (DHS) on December 18, 2000, revised July 3, 2003, provides that it may not exceed 255 service connections until Cal Water has demonstrated to DHS that it has sufficient capacity to handle the additional connections. At this time, the Coast Springs system has accepted applications for twelve new service connections, and has a waiting list of nine applicants.

September 17, 2004, is 18 months from the mailing date of D.03-03-037, which required in Ordering Paragraph No. 1 that the following special condition be added to tariff Schedule No. RV-CS-1:

Applicants requesting water service that would cause the Coast Springs water system to exceed 250 service connections, or such higher number of connections as DHS may subsequently allow under Coast Springs water system's domestic water supply permit, will be placed on a waiting list. Once additional service connections become available, applicants on the waiting list will be notified in the order they were received. Any previously accepted application for water service in the Coast Springs water system will be revoked if proof of a valid building permit is not provided within 18 months of acceptance of the application for water service or [the date this order was mailed], whichever is later. Applicants who have had their approval revoked in this manner will be placed at the end of the waiting list. This Special Condition shall expire on [three years after the date this order was mailed] absent further order of the Commission.

Mr. Farais owns a vacant lot in the Coast Springs district with an approved service connection. If Mr. Farais does not secure a building permit by September 17, 2004, his service connection approval will be revoked and his name will be placed at the end of the waiting list.

DISCUSSION

Mr. Farais initially believed that his lot was exempt from the building moratorium. He also claims that he did not receive the initial notice from Cal Water notifying him of the revocation of his place on the waiting list absent a valid building permit. Cal Water confirms that the initial notice to Mr. Farais was sent out with an incorrect zip code.

At this time, Mr. Farais has not obtained a building permit, but according to Cal Water, "has demonstrated that he is likely to secure his permit within the next six months." Specifically, Cal Water cites that; (1) Mr. Farais has hired an architect to begin the process of securing a building permit, (2) anticipating delays in building approval from his homeowner's association, Mr. Farais promptly contacted Cal Water notifying them of the delay and the need for a time

extension. Cal Water adds that a six-month extension will not allow Mr. Farais to reserve a connection indefinitely, but it only provides him additional time to obtain a building permit.

D.03-03-037 provides that “Revisions and exceptions to the approved connection list procedure and waiting list procedure may be made only with Commission approval. Approval may be either by formal application and decision, or with the concurrence of the Water Division, by advice letter and Commission resolution.” Water Division accepted Cal Water’s Advice Letter No. 1673 on June 18, 2004.

NOTICE

As part of its filing, Cal Water notified all holders of approved service connections, waiting list applicants, owners of unserved lots and others who have requested notification a copy of this advice letter. The Water Division received no protests.

FINDINGS

1. Mr. Joseph Farais owns a vacant lot in Cal Water’s Coast Springs Water System and he is one of twelve customers on the approved service connection list.
2. On September 17, 2004, Mr. Joseph Farais will lose his place on the approved service connection list and his name will be placed at the bottom of the waiting list as he has yet to secure a building permit—as required by D.03-03-037, Ordering Paragraph No. 1.
3. Ordering Paragraph No. 2 of D.03-03-037 provided for changes and exceptions to the approved connection list procedure and waiting list procedure by Commission resolution.
4. Cal Water supports a six-month extension of time for Mr. Joseph Farais to secure a building permit to retain his name on the approved service connection list.
5. The Water Division has received no protests regarding a time extension for Mr. Joseph Farais.

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6. This is an uncontested matter subject to the public notice comment exclusion provided in the PU Code Section 311(g)(3).

THEREFORE IT IS ORDERED THAT:

1. California Water Service Company allow Mr. Joseph Farais, a lot owner in its Coast Springs Water System, a six-month extension of time to submit the building permit required by D.03-03-037 to retain his name on the approved water service connection list for connections without active meters.
2. This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on August 19, 2004; the following Commissioners voting favorably thereon:

/s/ STEVE LARSON
STEVE LARSON
Executive Director

MICHAEL R. PEEVEY
President

CARL W. WOOD
LORETTA M. LYNCH
GEOFFREY F. BROWN
SUSAN P. KENNEDY
Commissioners